

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Case No.: 17-32785

Brian & Bonnie McCann

Judge: KCF

Debtor(s)

Chapter 13 Plan and Motions

Original Modified/Notice Required Date: 10/5/20
 Motions Included Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST.
SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: JC Initial Debtor: BM Initial Co-Debtor: BM

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 849 per _____ to the Chapter 13 Trustee, starting on _____ for approximately 48 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description:

Proposed date for completion: _____

Refinance of real property:

Description:

Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection NONE

- a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).
- b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 800
DOMESTIC SUPPORT OBLIGATION		
JTMUA	Water/sewer	\$2419.06

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ditech Financial	20 Rhode Island Avenue Jackson NJ	\$10,084.17 (\$10,913.71- \$829.54)		\$10,084.17 (\$10,913.71- \$829.54)	\$1474

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
United Teletech	2007 Toyota FJ Cruiser	\$16629.95	\$14575			5.25%	\$16603

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
United Teletech	2007 Jeep Liberty	\$4000	\$4105.94
Portfolio	2011 Ford Explorer	\$12485	\$15755

f. Secured Claims Unaffected by the Plan NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \$ 10,000 to be distributed *pro rata*
 Not less than _____ percent
 Pro Rata distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
United Teletech	2007 Toyota FJ Cruiser	\$16629	\$14575	\$16603		\$26

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- Upon confirmation
- Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

1) Ch. 13 Standing Trustee commissions

2) Administrative Expenses

3) Secured Claims

4) Priority Claims & 5) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 11/10/2017.

Explain below why the plan is being modified: debtor is now surrendering 2011 Ford Explorer	Explain below how the plan is being modified: 2011 Ford Explorer is being surrendered
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Are Schedules I and J being filed simultaneously with this Modified Plan?

Yes No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 10/5/2018

/s/Brian McCann

Debtor

Date: 10/5/2018

/s/Bonnie McCann

Joint Debtor

Date: 10/5/2018

/s/James J Cerbone

Attorney for Debtor(s)

Certificate of Notice Page 11 of 12
United States Bankruptcy Court
District of New JerseyIn re:
Brian McCann
Bonnie McCann
DebtorsCase No. 17-32785-KCF
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 48

Date Rcvd: Oct 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2018.

db/jdb +Brian McCann, Bonnie McCann, 20 Rhode Island Drive, Jackson, NJ 08527-1447
 cr +United Teletech Financial FCU, Attn: Michael R. DuPont, Esq., 229 Broad St., PO Box 610, Red Bank, NJ 07701-0610
 517170531 Barclay Card, PO Box 13337, Philadelphia, PA 19101-3337
 517237510 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 517170535 +Client Services, 3451 Harry S Truman Blvd, Saint Charles, MO 63301-9816
 517170539 David Faloni Jr, Faloni & Associates, 165 Passaic Avenue 301B, Fair Haven, NJ 07704
 517170541 +ERC, PO Box 1259, Dept 98696, Oaks, PA 19456-1259
 517170542 ERC, PO Box 23870, Jacksonville, FL 32241-3870
 517170544 ++FIRST SAVINGS BANK, PO BOX 5096, SIOUX FALLS SD 57117-5096
 (address filed with court: FSB Blaze, 5501 S Broadband Lane, Sioux Falls, SD 57108)
 517170543 +First Premier Bank, PO Box 5514, Sioux Falls, SD 57117-5514
 517170545 +Harwood Lloyd LLC/Howell Associates, 130 Main Street, Hackensack, NJ 07601-7152
 517208089 +JTMUA, 135 Manhattan Street, Jackson, NJ 08527-2504
 517170546 +Jackson Township, 95 West Veterans Highway, Jackson, NJ 08527-3495
 517170549 +LVNV Funding, Attn: Faloni & Associates, 165 Passaic Avenue, Fairfield, NJ 07004-3521
 517170554 +Professional Account Management, PO Box 3032, Milwaukee, WI 53201-3032
 517170555 +Six Flags Entertainment Corp, Attn: AARGON Collection Agency, 8668 Spring Mountain Road, Las Vegas, NV 89117-4132
 517323910 +TD Bank, N.A., Payment Processing, PO Box 16029, Lewiston, ME 04243-9507
 517333541 +TD Bank, N.A., C/O Richard J. Tracy, III, Esq., 30 Montgomery Street., Suite 1205, Jersey City, NJ 07302-3835
 517803113 +U.S. Bank Trust, N.A., as Trustee for LSF10 Master, 13801 Wireless Way, Oklahoma City, OK 73134-2500
 517803114 +U.S. Bank Trust, N.A., as Trustee for LSF10 Master, 13801 Wireless Way, Oklahoma City, OK 73134, U.S. Bank Trust, N.A., as Trustee for LS, 13801 Wireless Way, Oklahoma City, OK 73134-2500
 517170561 +United Teletech Financial FC, 205 Hance Avenue, Eatontown, NJ 07724-2764

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Oct 13 2018 00:15:13 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Oct 13 2018 00:15:10 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 517170530 +E-mail/Text: ally@ebn.phinsolutions.com Oct 13 2018 00:14:18 Ally Financial, PO Box 380901, Minneapolis, MN 55438-0901
 517170533 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 13 2018 00:19:24 Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
 517170536 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Oct 13 2018 00:14:50 Comenity Bank, PO Box 182125, Columbus, OH 43218-2125
 517170537 +E-mail/PDF: creditonebknotifications@resurgent.com Oct 13 2018 00:20:19 Credit One Bank, PO Box 98875, Las Vegas, NV 89193-8875
 517170540 E-mail/Text: bankruptcy.bnc@ditech.com Oct 13 2018 00:14:43 Ditech Financial, PO Box 6154, Rapid City, SD 57709-6154
 517213743 E-mail/Text: bankruptcy.bnc@ditech.com Oct 13 2018 00:14:43 Ditech Financial LLC fka Green Tree Servicing LLC, P.O. Box 6154, Rapid City, South Dakota 57709-6154
 517170547 E-mail/Text: bnckohlsnotices@becket-lee.com Oct 13 2018 00:14:22 Kohls, PO Box 2893, Milwaukee, WI 53201-2983
 517170550 +E-mail/PDF: resurgentbknotifications@resurgent.com Oct 13 2018 00:20:32 LVNV Funding LLC, PO Box 10584, Greenville, SC 29603-0584
 517391597 E-mail/PDF: resurgentbknotifications@resurgent.com Oct 13 2018 00:19:35 LVNV Funding, LLC its successors and assigns as, assignee of FNBW, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517392018 E-mail/Text: bkr@cardworks.com Oct 13 2018 00:14:06 MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 517170552 E-mail/Text: bkr@cardworks.com Oct 13 2018 00:14:06 Merrick, PO Box 171379, Salt Lake City, UT 84117-1379
 517170553 +E-mail/Text: bankruptcydpt@mcmcg.com Oct 13 2018 00:15:09 Midland Funding, 8875 Aero Drive Ste 200, San Diego, CA 92123-2255
 517230640 +E-mail/Text: bankruptcydpt@mcmcg.com Oct 13 2018 00:15:09 Midland Funding LLC, PO Box 2011, Warren MI 48090-2011
 517401287 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 13 2018 00:19:29 Portfolio Recovery Associates, LLC, POB 41067, Norfolk VA 23541
 517285802 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 13 2018 00:19:29 Portfolio Recovery Associates, LLC, c/o Amazon.com, POB 41067, Norfolk VA 23541
 517285799 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 13 2018 00:32:16 Portfolio Recovery Associates, LLC, c/o Barclaycard, POB 41067, Norfolk VA 23541
 517319474 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 13 2018 00:21:08 Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.A., POB 41067, Norfolk VA 23541

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 48

Date Rcvd: Oct 12, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

517319501 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Oct 13 2018 00:20:16
Portfolio Recovery Associates, LLC, c/o RCS Direct Marketing/Orchard Bank, POB 41067,
Norfolk VA 23541
517236266 +E-mail/Text: JCAP_BNC_Notices@jcap.com Oct 13 2018 00:15:29 Premier Bankcard, Llc,
Jefferson Capital Systems LLC Assignee, Po Box 7999, Saint Cloud Mn 56302-7999
517386583 E-mail/Text: bnc-quantum@quantum3group.com Oct 13 2018 00:15:01
Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
517170556 E-mail/PDF: gecsedri@recoverycorp.com Oct 13 2018 00:20:59 SYNCB, PO Box 965060,
Orlando, FL 32896-5060
517172244 +E-mail/PDF: gecsedri@recoverycorp.com Oct 13 2018 00:20:07 Synchrony Bank,
c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
517205590 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 13 2018 00:21:35 T Mobile/T-Mobile USA Inc,
by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
517170560 E-mail/Text: bankruptcy@td.com Oct 13 2018 00:15:16 TD Bank, 32 Chestnut Street,
Lewiston, ME 04240
517264089 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Oct 13 2018 00:20:44 Verizon,
by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
TOTAL: 27

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517170532* Barclay Card, PO Box 13337, Philadelphia, PA 19101-3337
517170534* +Capital One Bank, PO Box 71083, Charlotte, NC 28272-1083
517170538* +Credit One Bank, PO Box 98875, Las Vegas, NV 89193-8875
517170548* Kohls, PO Box 2893, Milwaukee, WI 53201-2983
517170551* +LNVN Funding LLC, PO Box 10584, Greenville, SC 29603-0584
517170557* SYNCB, PO Box 965060, Orlando, FL 32896-5060
517170558* SYNCB, PO Box 965060, Orlando, FL 32896-5060
517170559* SYNCB, PO Box 965060, Orlando, FL 32896-5060
517170562* +United Teletech Financial FC, 205 Hance Avenue, Eatontown, NJ 07724-2764
TOTALS: 0, * 9, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 5, 2018 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmllawgroup.com,
bkgroup@kmllawgroup.com
James J. Cerbone on behalf of Joint Debtor Bonnie McCann cerbonelawfirm@aol.com,
cerbonejr83307@notify.bestcase.com
James J. Cerbone on behalf of Debtor Brian McCann cerbonelawfirm@aol.com,
cerbonejr83307@notify.bestcase.com
Michael R. DuPont on behalf of Creditor United Teletech Financial FCU dupont@redbanklaw.com,
dana@redbanklaw.com
Rebecca Ann Solarz on behalf of Creditor Ditech Financial LLC rsolarz@kmllawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
TOTAL: 8